

ation Commission DEFUKE THE ARIZONA GORPORATION COMMISSION

CARL J. KUNASEK **CHAIRMAN**

AUG 2 9 2000

DOCKETED BY

2000 ALG 29 A ID: 59

JIM IRVIN

COMMISSIONER WILLIAM A. MUNDELI

COMMISSIONER

GOCUMENT CONTROL

DOCKET NO. T-01051B-99-0105

5

6

7

9

10

11

12

1

2

3

4

IN THE MATTER OF THE APPLICATION OF US WEST COMMUNICATIONS, INC., A

COLORADO CORPORATION, FOR A HEARING TO DETERMINE THE EARNINGS OF THE COMPANY, THE FAIR VALUE OF THE COMPANY FOR RATEMAKING PURPOSES, TO

FIX A JUST AND REASONABLE RATE OF RETURN THEREON AND TO APPROVE RATE SCHEDULES DESIGNED TO DEVELOP SUCH RETURN.

IN THE MATTER OF U S WEST COMMUNICATIONS, INC. TARIFF FILING FOR APPROVAL OF A \$.25 SURCHARGE FOR A

CALL TO A U S WEST 800 SERVICE LINE

DOCKET NO. T-01051B-00-0369

PROCEDURAL ORDER

13 14

15

16

17

18

19

20

21

22

23

24

25

26

27

BY THE COMMISSION:

FROM A PAY TELEPHONE.

On July 17, 2000, the Arizona Payphone Association ("APA") filed a Motion to Intervene and Request to Suspend the Effective Date of the Tariff stating that Owest filed a tariff revision that directly affects independent payphone providers, but did not provide APA with notice of the filing. Additionally, the APA requests that the effective date of the tariff be suspended pending the Commission's review of the surcharge rate.

On July 31, 2000, Qwest Corporation, ("Qwest") formerly U S WEST Communications, Inc., filed a Response to the APA's Motion to Intervene and Request to Suspend Effective Date of Tariff ("Response") stating that the intervention is untimely, the APA's request to suspend the Tariff's effective date is moot, and the APA's arguments lack merit.

On August 7, 2000, the APA filed a Reply to Owest's Response stating that the APA filed a Motion to Intervene when it learned of the Qwest letter as Qwest did not notify APA of its tariff filing. Further, the APA opines that as Owest charges more than the FCC mandated payphone compensation rate, these issues should be fully addressed by the Commission and affected parties.

On August 22, 2000, Owest filed a Surreply to the APA's Reply stating that Owest is not 1 2 obligated to notify the APA of its filings and that as the APA's members collect administrative costs per the FCC's per call compensation plan, Qwest should also be allowed to recoup its costs. 3 Based on the above referenced motions, it is appropriate to grant the APA intervention in this 4 5 docket. Further, as this tariff addresses compensation through rates, it is appropriate to consolidate 6 7 this matter with the currently pending Qwest rate case. 8 IT IS THEREFORE ORDERED that the Arizona Payphone Association is hereby granted 9 intervention in this matter, Docket No. T-01051B-00-0369. IT IS FURTHER ORDERED that Docket No. T-01051B-00-0369 is hereby consolidated with 10 the pending Owest Corporation rate case, Docket No. T-01051B-99-0105. 11 DATED this 29th day of August, 2000. 12 13 14 JÉRRY L. RUDIBAUGH CHIEF ADMINISTRATIVE LAW JUDGE 15 Copies of the foregoing mailed/delivered 16 $\gamma \nu$ day of August, 2000 to: 17 Raymond S. Heyman Timothy Berg Randall H. Warner Theresa Dwyer 18 FENNEMORE CRAIG ROSHKA HEYMAN & DEWULF PLC Two Arizona Center 3003 North Central Avenue, Suite 2600 19 400 North 5th Street, Suite 1000 Phoenix, Arizona 85012 Attorneys for U S WEST Communications, Inc. Phoenix, Arizona 85004 20 Attorneys for Arizona Payphone Association and The Telephone Scott S. Wakefield, Chief Counsel Retiree Association-Arizona, Inc. 21 RUCO Peter Q. Nyce, Jr. 2828 North Central Avenue, Suite 1200 22 Phoenix, Arizona 85004-1022 General Attorney, Regulatory Law Office U.S. Army Legal Services Agency 23 Darren S. Weingard Department of the Army Natalie D. Wales 901 N. Stuart Street, Suite 700 24 Arlington, VA 22203-1837 SPRINT COMMUNICATIONS COMPANY L.P. 1850 Gateway Drive, 7th Floor 25 San Mateo, California 94404-2467 Richard Lee SNAVELY, KING & MAJOROS 26 Steven J. Duffy O'Connor & Lee, Inc. 1220 L Street, N.W., Suite 410 RIDGE & ISAACSON, P.C. 27

Washington, DC 20005

3101 North Central Avenue, Suite 432

Phoenix, Arizona 85012

DOCKET NO. T-01051B-99-0105 ET AL.

1	Thomas H. Campbell LEWIS AND ROCA	Michael Pattern BROWN & BAIN, P.A.
	40 N. Central Avenue	2901 N. Central Ave., Suite 2000
2	Phoenix, Arizona 85004	P.O. Box 400
	Attorneys for MCI Telecommunications	Phoenix, Arizona 85001-0400
3	Corporation and MCImetro Access Transmission Services, Inc.	Attorneys for Cox Arizona Telecom II, L.L.C.; e-spire™
_		Communications, Inc.; American Communication Services of Pima
4	Thomas F. Dixon	County, Inc.; ACSI-Local Switched Services, Inc.; and Teligent, Inc.
_	MCI WORLDCOM	
5	707 17th Street, Suite 3900	Douglas Hsiao
	Denver, Colorado 80202	RHYTHMS LINKS, INC.
6	Attorneys for MCI Telecommunications	6933 Revere Parkway
7	Corporation and MCImetro Access Transmission Services, Inc	Englewood, Colorado 80112
	Maria Arias-Chapleau	Jim Scheltema
8	Richard S. Wolters	BLUMENFELD & COHEN
9	AT&T	1625 Massachusetts Ave., N.W., Suite 300
	1875 Lawrence Street, Suite 1575	Washington, DC 20036
10	Denver, Colorado 80202	Attorneys for Rhythms Links, Inc.
	Attorneys for AT&T Communications of the Mountain States, Inc.	
		Albert Sterman
11	Patricia vanMidde	ARIZONA CONSUMERS COUNCIL
10	AT&T	2849 E. 8 th Street
12	111 W. Monroe, Suite 1201	Tucson, Arizona 85716
12	Phoenix, Arizona 85003	
13		Martin A. Aronson
14	Diane Bacon, Legislative Director	William d. Cleaveland
	COMMUNICATIONS WORKERS OF AMERICA	MORRILL & ARONSON, P.L.C.
15	5818 North 7th Street, Suite 206	One East Camelback, Suite 340
	Phoenix, Arizona 85014-5811	Phoenix, Arizona 85012-1648
16		Attorneys for AZ Dialtone and GCB
10	Craig Marks	Communications, Inc.
17	CITIZENS UTILITIES COMPANY	
* /	2901 N Central Avenue, Suite 1660	Joan S. Burke
18	Phoenix, Arizona 85012	OSBORN MALEDON, P.A.
10	LE & D.V. MC.W.	2929 N. Central Avenue, Suite 2100
19	J.E. & B.V. McGillivray 300 S. McCormick	Phoenix, Arizona 85012 Attorneys for Excell Agent Services, L.L.C.
	Prescott, Arizona 86303	Attorneys for Excent Agent Services, E.E.C.
20	Prescott, Artzolia 80303	Mark N. Rogers
	Jeffrey W. Crockett	EXCELL AGENT SERVICES, L.L.C.
21	SNELL & WILMER	2175 W. 14 th Street
	One Arizona Center	Tempe, Arizona 85281
22	Phoenix, Arizona 85004-0001	1011190, 11111101111 00201
	Attorneys for TDS Telecommunications Corporation; OnePoint	Chuck Turner, Mayor
23	Communications-Colorado, LLC; Cable Plus Company, LP dba	TOWN OF GILA BEND
	Telphone Plus; Valley Telephone Cooperative, Inc.; and Copper	P.O. Box A
24	Valley Telephone, Inc.	644 W. Pima Street
	- Swey Setepholo, no	Gila Bend, Arizona 85337-0019
25		
_		Jon Poston
26		6733 E. Dale Lane
_	·	Cave Creek, Arizona 85331
27		

DOCKET NO. T-01051B-99-0105 ET AL.

1 2	Lyn Farmer, Chief Counsel ARIZONA CORPORATION COMMISSION 1200 W. Washington Street Phoenix, Arizona 85007
3	Deborah R. Scott
4	Utilities Division Director ARIZONA CORPORATION COMMISSION
5	1200 W. Washington Street Phoenix, Arizona 85007
6	By: Deblu Keison
7	Debbi Person Secretary to Jerry L. Rudibaugh
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	